

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 31 - SB 1413**

March 18, 2019

**SUMMARY OF BILL:** Changes the definition of “prisoner day” as it relates to the County Correctional Incentives Act of 1981.

**ESTIMATED FISCAL IMPACT:**

**Increase State Expenditures – \$4,535,800**

**Increase Local Revenue – \$4,535,800**

**Assumptions:**

- Pursuant to Tenn. Code Ann. § 41-8-102, the County Correctional Incentives Act of 1981 provides financial incentives to counties to house additional non-dangerous felony offenders locally to help alleviate overcrowding in state correctional facilities, reduce high operational costs, and assist counties in upgrading local correctional facilities and programs.
- Pursuant to Tenn. Code Ann. § 41-8-103(11), the definition of prisoner day, as it relates to reimbursement of each state prisoner held by a county, is defined as each day each state prisoner sentenced to the Department of Correction (DOC) was held by the county after the first five days following sentencing.
- The proposed legislation changes the definition of prisoner day to include each day a state prisoner convicted by the court was held by a county after the first five days of incarceration following conviction.
- Based on information provided by DOC, over the last three years there have been 720 admissions from plea agreements in which the date of the plea was different than the date of sentencing. In these matters, the average time between the plea and sentencing was 72 days.
- Based on information provided by DOC, over the last three years there have been 612 felony admissions into community supervision resulting from plea agreements in which the date of the plea was different than the date of sentencing. In these matters, the average time between the plea and sentencing was 64 days.
- The average state cost per day for housing felons in local jails is \$49.84.
- The proposed legislation will result in a recurring increase in state expenditures estimated to be \$4,535,839  $\{[(720 \times 72) + (612 \times 64)] \times \$49.84\}$ .

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- The proposed legislation will result in a corresponding recurring increase in local revenue estimated to be \$4,535,839.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink that reads "Krista Lee Carsner". The signature is written in a cursive, flowing style.

Krista Lee Carsner, Executive Director

/amj